

INTERNATIONAL SEARCH REPORT

 Int: I Application No
 PCT/US 01/09425

A. CLASSIFICATION OF SUBJECT MATTER

IPC 7 A61K31/165 A61K31/36 A61P23/00

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

IPC 7 A61K

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the International search (name of data base and, where practical, search terms used)

EPO-Internal, BIOSIS, WPI Data, PAJ, EMBASE, SCISEARCH, CHEM ABS Data, MEDLINE

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 98 20867 A (ACS GEZA ; ACS PETER (US); US HEALTH (US); BIRO TAMAS (US); BLUMBER) 22 May 1998 (1998-05-22) page 1, line 5 - line 30 page 2, line 1 - line 9 table 1 claim 9	23-25
X	WO 90 14083 A (AFFERON CORP) 29 November 1990 (1990-11-29) page 3, line 12 - line 25 page 6, line 1 - line 14 page 12, line 5 - line 23 page 1, line 5 - line 27	23-27
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☒ Further documents are listed in the continuation of box C.☒ Patent family members are listed in annex.

* Special categories of cited documents:

- *A* document defining the general state of the art which is not considered to be of particular relevance
- *E* earlier document but published on or after the international filing date
- *L* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- *O* document referring to an oral disclosure, use, exhibition or other means
- *P* document published prior to the international filing date but later than the priority date claimed

T later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

X document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

Y document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

G document member of the same patent family

Date of the actual completion of the international search

15 November 2001

Date of mailing of the international search report

26/11/2001

Name and mailing address of the ISA

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C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 00 50387 A (KIM HEE DOO ;OH UHTAEK (KR); PARK YOUNG HO (KR); SUH. YOUNG GER (KR) 31 August 2000 (2000-08-31) page 1, line 11 - line 34 page 14, line 5 - line 22	23-25
X	JAGGER AMY ET AL: "Reduced vagal sensory innervation of the small intestinal myenteric plexus following capsaicin treatment of adult rats." NEUROSCIENCE LETTERS, vol. 236, no. 2, 31 October 1997 (1997-10-31), pages 103-106, XP001039698 ISSN: 0304-3940 page 103, column 2, paragraph 2	23,25,26
X	KARAI L ET AL: "Evaluation of intraganglionic resiniferatoxin (RTX) injection for pain control." SOCIETY FOR NEUROSCIENCE ABSTRACTS, vol. 27, no. 1, 2001, page 741 XP001039699 31st Annual Meeting of the Society for Neuroscience; San Diego, California, USA; November 10-15, 2001 ISSN: 0190-5295 the whole document	1-12, 23-25
X	YAKSH: "Intratechal capsaicin..." SCIENCE, vol. 206, 1979, pages 481-483, XP001039987 page 481, column 2, paragraph 2	15-17, 19,20, 23,25
X	PALERMO: "selective neurotoxic action of capsaicin..." BRAIN RES., vol. 208, pages 506-510, XP001039955 page 506, paragraph 1 - paragraph 2	1-4,7, 9-12, 15-17, 19,20, 23,25
X	NAGY: "a re-evaluation of the neurochemical..." BRAIN RES., vol. 211, 1981, pages 497-502, XP001039916 page 497, line 1 -page 498, line 2 page 498, paragraph 3	15-17, 19,20, 23,25
X	SZABO: "epidural resiniferatoxin..." BRAIN RES., vol. 840, 1999, pages 92-98, XP001039914 page 92, column 2, paragraph 2 page 93, column 1, paragraph 2	15-20, 23-25

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C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	<p>RUSSELL: "effect of intratechal and subepineural capsaicin..."</p> <p>PAIN,</p> <p>vol. 25, 1986, pages 109-123, XP001039818</p> <p>page 109, line 1 -page 110, line 9</p> <p>page 111, paragraph 2</p> <p>page 116, paragraph 2</p> <p>table 4</p>	<p>15-17,</p> <p>19,20,</p> <p>23,25</p>

FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.2

Present claims 1-6,9-16,19-23,26,27 relate to a compound defined by reference to a desirable characteristic or property, namely the activity as vanilloid receptor agonist, and of local anesthetic. The claims cover all products/compounds/methods/apparatus having this characteristic or property, whereas the application provides support within the meaning of Article 6 PCT and/or disclosure within the meaning of Article 5 PCT for only a very limited number of such compounds. In the present case, the claims so lack support, and the application so lacks disclosure, that a meaningful search over the whole of the claimed scope is impossible. Independent of the above reasoning, the claims also lack clarity (Article 6 PCT). An attempt is made to define the compound by reference to a result to be achieved. Again, this lack of clarity in the present case is such as to render a meaningful search over the whole of the claimed scope impossible. Consequently, the search has been carried out for those parts of the claims which appear to be clear, supported and disclosed, namely those parts relating to the compounds mentioned in claim 7, optionally in combination with the compounds mentioned in claim 14.

Claims searched completely: 7,8,17-18,24,25.

Claims searched incompletely: 1-6,9-16,19-23,26,27.

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

INTERNATIONAL SEARCH REPORT

information on patent family members

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Patent document cited in search report		Publication date		Patent family member(s)	Publication date
WO 9820867	A	22-05-1998	AU	5460598 A	03-06-1998
			WO	9820867 A1	22-05-1998
WO 9014083	A	29-11-1990	AU	5744490 A	18-12-1990
			WO	9014083 A1	29-11-1990
WO 0050387	A	31-08-2000	AU	2697600 A	14-09-2000
			WO	0050387 A1	31-08-2000